1	DAVID J. BERGER, State Bar No. 147645 THOMAS J. MARTIN, State Bar No. 150039 CATHEDINE F. MODENO, State Par No. 264517				
2	CATHERINE E. MORENO, State Bar No. 264517 WILSON SONSINI GOODRICH & ROSATI				
3	Professional Corporation 650 Page Mill Road				
4	Palo Alto, CA 94304-1050 Telephone: (650) 493-9300				
5	Facsimile: (650) 565-5100 Email: tmartin@wsgr.com				
6 7	PAUL CHAVEZ, State Bar No. 241576 LAWYERS' COMMITTEE FOR CIVIL RIGH	TTS			
	131 Steuart Street, Suite 400 San Francisco, CA 94105				
8	Telephone: (415) 543-9444 Facsimile: (415) 543-0296				
9	Email: pchavez@lccr.com				
10	JULIA HARUMI MASS, State Bar No. 189649 ALAN L. SCHLOSSER, State Bar No. 49957				
11	AMERICAN CIVIL LIBERTIES UNION FOU OF NORTHERN CALIFORNIA, INC.	INDATION			
12	39 Drumm Street				
13	San Francisco, CA 94111 Telephone: (415) 621-2493				
14	Facsimile: (415) 255-8437 Email: jmass@aclunc.org				
15	Attorneys for Plaintiffs				
16	UNITED STATES	DISTRICT COURT			
17	NORTHERN DISTR	ICT OF CALIFORNIA			
18	SAN FRANCISCO DIVISION				
19	Shirika	Seo Division			
20	UELIAN DE ABADIA-PEIXOTO, et al.,) Case No.: 3:11-cv-4001 RS			
21	Plaintiffs,) <u>CLASS ACTION</u>			
22	v.) JOINT STIPULATION			
23	UNITED STATES DEPARTMENT OF HOMELAND SECURITY, et al.,) AND [PROPOSED] ORDER TO) MODIFY CASE SCHEDULE)			
24	Defendants.)			
25	Defendants.)			
26)			
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	JOINT STIPULATION AND [PROPOSED] ORDER 3:11-CV-4001 RS				

1	<u>STIPULATION</u>
2	Pursuant to Civil Local Rules 6-2 and 7-12, the parties respectfully request a modification
3	to the case schedule in this matter in order to permit the parties to attempt to settle this litigation.
4	WHEREAS, on November 8, 2012, after considering a Joint Case Management
5	Statement submitted by the parties, Judge Seeborg entered an order extending the deadlines for:
6	fact discovery, expert designations, supplemental and rebuttal expert designations, and expert
7	witness discovery (Dkt. Nos. 104, 107);
8	WHEREAS, on November 28, 2012, the parties participated in a settlement conference
9	before Magistrate Judge Beeler;
10	WHEREAS, on December 17, 2012, the parties stipulated to extend certain discovery
11	deadlines to allow them to focus their efforts on the production of discovery particularly relevant
12	to settlement (Dkt. Nos. 115, 118);
13	WHEREAS, on February 25, 2013, and March 11, 2013, the parties participated in
14	further settlement conferences before Magistrate Judge Beeler;
15	WHEREAS, the parties have held further telephonic settlement conferences since that
16	time, and have made further progress in their attempts to reach a negotiated resolution of this
17	matter; and
18	WHEREAS, the parties have continued these settlement efforts while also pressing
19	forward with discovery and related meet-and-confer efforts;
20	WHEREAS, the press of looming discovery deadlines is inhibiting further progress on
21	settlement;
22	WHEREAS, the current schedule for this case would set trial for November 2013 (Dkt.
23	No. 107);
24	WHEREAS, the parties have agreed to modify the schedule to permit them to apply good
25	faith efforts to settlement for a limited two-month period of time;
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IT IS HEREBY STIPULATED AND AGREED, subject to approval of the Court, that the schedule and deadlines for this case be modified as follows:

1. DISCOVERY. Further production of documents and depositions will be stayed, pursuant to the terms of the agreement of the parties, until July 12, 2013. This stay does not extend the deadline to propound additional discovery requests or to notice additional depositions. While the parties do not anticipate noticing any further depositions, they reserve the right to seek relief from the Court for good cause shown.

If an agreement in principle to settle has not been reached by the end of the stay period, Defendants will produce documents responsive to Plaintiffs' Fourth Set of Requests for Production, and Plaintiffs will produce documents, if any, responsive to Defendants' Second Set of Requests for Production by July 19, 2013. The parties will submit a joint letter to Judge Westmore, if necessary, on or about August 9, 2013. The period for fact depositions will run from August 9, 2013 through October 31, 2013.

- 2. EXPERT WITNESSES. The disclosure and discovery of expert witnesses and opinions shall proceed as follows:
- a. On or before November 18, 2013, the parties will designate experts in accordance with Federal Rule of Civil Procedure 26(a)(2).
- b. On or before December 18, 2013, the parties will designate their supplemental and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).
- c. On or before January 24, 2014, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.
- 3. DISPOSITIVE MOTIONS. Dispositive motions will be filed in accordance with the following schedule:
 - a. On or before February 28, 2014, all Motions for Summary Judgment will be filed pursuant to Civil Local Rule 7.
 - b. On or before March 21, 2014, all Oppositions to Motions for Summary Judgment will be filed pursuant to Civil Local Rule 7.

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1	c. On or before April 4, 2014, all Replies to Oppositions to Motions for Summary				
2	Judgment will be filed pursuant to Civil Local Rule 7.				
3	4. TRIAL. A five-day trial will be set for July 28, 2014, with a pre-trial conference				
4	to be set at the	e Court's convenience			
5	Dated: May 1	4, 2013	Respectfully submitted,		
6			By: <u>/s/ Catherine E. Moreno</u> Catherine E. Moreno		
7			WILSON SONSINI GOODRICH & ROSATI		
8			Professional Corporation David J. Berger Thomas J. Martin		
9					
10			LAWYERS' COMMITTEE FOR CIVIL RIGHTS Paul Chavez		
11			AMERICAN CIVIL LIBERTIES UNION		
12			FOUNDATION OF NORTHERN CALIFORNIA, INC.		
13			Julia Harumi Mass Alan L. Schlosser		
14			Attorneys for Plaintiffs		
15			By: /s/ Erez Reuveni		
16			Erez Reuveni		
17 18			Trial Attorney U.S. Department of Justice, Civil Division		
19			Office of Immigration Litigation District Court Section		
20			Ben Franklin Station, P.O Box 868 Washington, DC 20044		
			Telephone: (202) 307-4293 Facsimile: (202) 616-8962		
21			Email: erez.r.reuveni@usdoj.gov		
22 23			STUART F. DELERY Principal Deputy Assistant Attorney General		
23 24			DAVID J. KLINE Director		
25			Office of Immigration Litigation District Court Section		
$\begin{bmatrix} 25 \\ 26 \end{bmatrix}$			VICTOR M. LAWRENCE Assistant Director SAMUEL P. GO		
27			Senior Litigation Counsel		
$\begin{bmatrix} 27 \\ 28 \end{bmatrix}$			CHRIS HOLLIS Trial Attorney		
ا ت			Attorneys for Defendants		
	JOINT STIPULATION	ON AND [Proposed] Order	-4-		

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1	SIGNATURE ATTESTATION
2	I, Catherine E. Moreno, attest that I obtained the concurrence of Erez Reuveni in filing
3	this document. I declare under penalty of the laws of the United States that the foregoing is true
4	and correct.
5	Executed this 14th day of May, 2013 in Palo Alto, California.
6	/s/ Catherine E. Moreno Catherine E. Moreno
7	Catherine E. Moreno
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[PROPOSED] ORDER 1 2 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that: 3 1. DISCOVERY. Further production of documents and depositions will be stayed, 4 pursuant to the terms of the agreement of the parties, until July 12, 2013. This stay does not 5 extend the deadline to propound additional discovery requests. 6 If an agreement in principle to settle has not been reached by the end of the stay period, 7 Defendants will produce documents responsive to Plaintiffs' Fourth Set of Requests for 8 Production, and Plaintiffs will produce documents, if any, responsive to Defendants' Second Set 9 of Requests for Production by July 19, 2013. The parties will submit a joint letter to Judge 10 Westmore, if necessary, on or about August 9, 2013. The period for fact depositions will run 11 from August 9, 2013 through October 31, 2013. 12 2. EXPERT WITNESSES. The disclosure and discovery of expert witnesses and 13 opinions shall proceed as follows: 14 a. On or before November 18, 2013, the parties will designate experts in accordance 15 with Federal Rule of Civil Procedure 26(a)(2). 16 b. On or before December 18, 2013, the parties will designate their supplemental 17 and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2). 18 c. On or before January 24, 2014, all discovery of expert witnesses pursuant to 19 Federal Rule of Civil Procedure 26(b)(4) shall be completed. 3. DISPOSITIVE MOTIONS. Dispositive motions will be filed in accordance with 20 21 the following schedule: 22 a. On or before February 29, 2014, all Motions for Summary Judgment will be filed 23 pursuant to Civil Local Rule 7. 24 b. On or before March 21, 2014, all Oppositions to Motions for Summary Judgment will be filed pursuant to Civil Local Rule 7. 25 26 c. On or before April 4, 2014, all Replies to Oppositions to Motions for Summary 27 Judgment will be filed pursuant to Civil Local Rule 7.

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1	4. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case				
2	Management Conference shall be held on November 14, 2013 at 10:00 a.m./pxxx. in				
3	Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,				
4	California.				
5	5. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant	to			
6	Civil Local Rule 7. All pretrial motions shall be heard on May 29, 2014 at 1:30				
7	aXX/p.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San				
8	Francisco, California.				
9	6. PRETRIAL CONFERENCE. A pretrial conference will be held on				
10	July 17 , 2014 at 10:00 a.m./XX., in Courtroom 3, 17th Floor, United States Courthouse	÷,			
11	450 Golden Gate Avenue, San Francisco, California.				
12	7. TRIAL. A five-day trial will commence on July 28, 2014 in Courtroom 3,				
13	17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.				
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15	IT IS SO ORDERED.				
16	Date: 5/14 , 2013 Honorable Richard Seeborg				
17	United States District Judge				
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